

**STATEMENT OF OLIVIA GOLDEN, DIRECTOR
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TO THE U.S. HOUSE SUBCOMMITTEE ON THE DISTRICT
OF COLUMBIA, COMMITTEE ON GOVERNMENT REFORM
“OVERSIGHT HEARING ON THE PERFORMANCE OF THE
COURT OF APPEALS AND THE SUPERIOR COURT OF THE
DISTRICT OF COLUMBIA”**

Wednesday, June 5, 2002

Good morning Chairwoman Morella, Ranking Member Norton, and Members of the Subcommittee on the District of Columbia. I am Olivia Golden, the Director of the Child and Family Services Agency (CFSA) for the District of Columbia.

I appreciate the opportunity to testify here today on behalf of Mayor Anthony A. Williams and the Deputy Mayor for Children, Youth, Families and Elders Carolyn Graham regarding the performance of the courts that serve the District of Columbia. I am going to focus my testimony on the implementation of the Family Court – and more specifically, on the coordination of that implementation with the Deputy Mayor and the District’s Child and Family Services Agency. I would like to express my gratitude for your leadership, along with that of Representatives Delay and Norton, and Senators Landrieu and DeWine, in the passage of the Family Court Act, and for the leadership of Chief Judge King and Presiding Judge Satterfield in the implementation of the Act.

The Family Court Act represents a critical reform which complements the equally broad and ambitious reforms of the child welfare system undertaken by Mayor Williams and the District of Columbia Council. Together, these reforms are designed to protect children’s safety, ensure that children grow up in permanent families, and promote the well-being of the District’s most vulnerable children. Consistent with the goals of Mayor Williams’ Safety Net, “Strengthening Children, Youth and Families Initiative,” the coordinated reform effort underway is dismantling the last of the institutional and legal barriers that once stood in the way of providing effective and efficient services to the District’s abused and neglected children.

I believe that we have entered a new era of collaboration with the Court. Since the District of Columbia Family Court Act of 2001 was signed into law by President Bush on January 8, 2002, CFSA has been working closely on implementation with the Deputy Mayor for Children, Youth, Families and Elders, the Superior Court, and other key stakeholders. The Court's openness and willingness to receive input and undertake dialogue with the key stakeholders are a testament to its efforts to create the best possible environment for children in the District. For example, I was privileged to be a part of a retreat co-sponsored by the Superior Court and the Anne E. Casey Foundation several months ago. At the retreat, which included representatives of all stakeholders – including judges, social workers, guardian ad litems, Assistant Corporation Counsels (ACCs), community providers and foster parents - we met with representatives from other jurisdictions which are currently operating successful family courts. The Court's plan for Family Court implementation includes lessons learned from the retreat, such as the importance of a continuing mechanism for all key stakeholders to be involved in decision-making.

As you know, the Court submitted the mandated Transition Plan to Congress on April 5th of this year. I would like to express appreciation for several broad themes of the Court's Plan which provide a solid foundation for child welfare in the District:

- The clear focus of the plan on children's safety and prompt movement towards permanence, consistent with the Federal and District Adoption and Safe Families Acts;
- The commitment to move immediately to a One Judge/One Family approach for all new abuse and neglect cases by bringing together all aspects of the abuse/neglect proceeding from just after the initial hearing through the final steps to permanence;
- The commitment to an ongoing and regular framework for consultation and joint decision-making with stakeholders, which reflects the principle that we must move forward together on reform of the whole system;

- The commitment of promoting improved outcomes for children through teamwork among the judicial team, the attorneys, and social workers who work with children, as well as through family engagement; and
- The understanding that achieving teamwork and better outcomes requires improved scheduling and a sharp reduction in the number of judges that attorneys and social workers must appear before, as well as training (including cross-training), clarification of roles, and the development of mutual respect and trust across all members of the team.

I would like to focus my testimony today on three areas:

- First, a status report on the implementation of the Family Court Act from CFSA's perspective, with a focus on those steps which are particularly important in improving results for the District's abused and neglected children;
- Second, a brief summary of the key accomplishments of the District's child welfare reform efforts over the last year, to illustrate the ways in which the whole range of systemic reforms are critical to improving results for children; and
- Third, next steps including those which require Congressional support.

IMPLEMENTATION OF THE FAMILY COURT ACT

Ensuring the safety of the District's children and creating a speedier path for abused and neglected children to grow up in a permanent family are critical goals that cannot be accomplished by CFSA alone, nor by the Court alone. Both the Court and the Agency, along with key partner agencies within District government as well as non-governmental community partners, must work together to accomplish those critical outcomes. I am very pleased to report to you that the implementation of the Family Court legislation has engaged a wide array of partners in reforming old practices for the benefit of children. From CFSA's perspective, we have reformed our internal legal

structure, in partnership with the District's Office of Corporation Counsel (OCC); we have engaged with the Court in early collaborative planning and implementation, yielding early victories for children; and we have identified a number of crucial next steps on which we are working together.

Restructuring of Legal Services within CFSA – OCC. Over the past year, the District has dramatically expanded and restructured the entire structure for legal support for CFSA, consistent with the framework in the consent order that enabled CFSA to return from Federal Court Receivership. In the past, in an agency with as many as 1,500 court hearings a month regarding abused and neglected children, the work of social workers was supported by only 16 abuse and neglect attorneys, meaning that social workers were generally not represented in court and, when they were, there was rarely time for attorneys and social workers to prepare together and provide the court with high quality information. As part of the Consent Agreement, the District committed to more than doubling the number of attorneys and reforming the structure of our legal services to improve communication and problem solving between social workers and attorneys and therefore higher quality information for the court and better results for children.

We have accomplished dramatic reform. We now have 39 attorneys on board, with three more coming on board by July, and are covering approximately 85% of all court hearings. Our goal is 100%, which we expect to accomplish later this summer, once scheduling conflicts are reduced with the Court's planned reduction in the number of judges assigned to abuse and neglect cases. At the same time, the District has also reformed the structure of legal services to create an attorney-client relationship with agency social workers, consistent with the Federal consent decree, and to promote close communication and coordination between attorneys and social workers. Along with increasing the number of ACCs on staff, we have also just this spring completed the co-location of the ACCs with CFSA social workers, thus facilitating communication between the social workers and the attorneys.

We anticipate that the next steps in our reform will enable us to link even more closely with the new mission and structure of the Family Court. To give us the benefit of national best practices in designing our new legal services structure, CFSA and OCC

commissioned a study of legal staffing needs through the American Bar Association (ABA), and we are expecting the results of that study shortly. Our initial conversations with the ABA indicate that they are likely to recommend the (OCC) convert to vertical prosecution, meaning that a single ACC will keep the case from just after the initial hearing through the permanency decision – consistent with the court’s one judge/one family structure where one judge hears a case from discovery through permanency. This is a departure from the previous practice where different teams of attorneys handle different phases of the case. This practice would allow the attorney to have a much greater knowledge of the case, build stronger relationships with the judicial team and social worker, and most importantly, enhance the safety and permanency of the children.

The legal unit is already taking steps to implement the vertical structure in a phased-in approach. Furthermore, the supervisory structure of the ACCs is being reworked to create a more seamless relationship, ACCs with smaller caseloads are holding on to their cases, rather than transferring them to other attorneys. We will be conducting trainings for ACCs so they are versed in all aspects of the court process.

COLLABORATIVE PLANNING AND EARLY ACCOMPLISHMENTS

Under the leadership of Deputy Mayor Carolyn Graham, CFSA, along with other District Agencies such as the Department of Mental Health and the Department of Human Services, is also working to coordinate programmatically with the court. Key accomplishments over the last six have included the following:

- CFSA, the Court and other stakeholders worked together to identify categories of cases that we believe are the best suited for an immediate transfer into the Family Court, consistent with the statutory mandate. Together, we looked for cases where the transfer to the Family Court could make an immediate difference to the child’s chance of growing up in a permanent family: for example cases where a child has been living for a long time in a kin setting that appears to be well-suited to adoption or guardianship. We also looked for cases where older children appeared to be remaining in care primarily for service needs, such as mental health or retardation

services, rather than for ongoing issues with abuse or neglect. In those cases, we believe that the appropriate agencies working together and linking with the court may be able to arrange the right services for the child and lead to closure of court and CFSA involvement in the abuse/neglect matter.

- CFSA, our attorneys from OCC, and the Court are now beginning to pilot immediately some of the key features of the Family Court. Specifically, we have identified specific units of social workers whose cases are more likely to be assigned to one of the new Magistrate Judges, in an effort to learn about the benefits to case practice -- and therefore to children -- of teamwork among judicial officers, attorneys, and social workers. Our hope is that we will be able to promote prompter movement to permanency – particularly, for the children in these units, to adoption and subsidized guardianship with kin families – through the shared work on these cases.
- Through collaboration between CFSA, OCC, and the Court, we have developed new formats for Court Reports, which are now being programmed into our database system. At the same time, the court is working with information from our lawyers to provide uniformity in Court orders. These efforts not only provide compelling evidence of our new relationship with the Court, but also address issues identified as weaknesses in the system and offer benefits to children through higher quality information and streamlined processes.
- A key area for our work with the Court, consistent with the clear focus of the Family Court Act, has been cross-training to ensure better outcomes for children. Beginning with the planning retreat that I have already described, we have now established an expectation of cross-training and information-sharing. Judge Satterfield has briefed CFSA staff on the Family Court at an “All Staff” meeting as well as participated in a smaller conversation with our attorneys; CFSA staff, both attorneys and social workers, provided a full afternoon of training for the new Magistrate Judges and other judges from the Family Court; and we are in the early stages of discussion with the Court and a wide range of other partners regarding more extensive training plans during the coming months. Based on what we have learned from national experience, nothing is more important to the successful establishment of a Family Court.

- Finally, I am delighted to report on an early accomplishment that has already resulted in measurable improvement for children. As a result of the close relationship with the Court that we have developed through the Family Court process, we met with the court to discuss a specific goal for increasing finalized adoptions for children that has been set for us as part of the Federal Court's assessment of the agency's first year out of Receivership. This goal, of 328 finalized adoptions in the twelve months ending May 31, 2002, represents a substantial increase over the previous twelve months, and at first we thought it might be out of reach. But with close collaboration with the court intended to streamline all the processes and eliminate any delays due to paperwork or tracking, we now believe – although we are still completing our count – that we have at least come extremely, extremely close to accomplishing this result for children.

REMAINING STEPS IN IMPLEMENTATION

- As a key part of the one judge/one family design, the Family Court Act calls for a limited number of highly trained, well-supported judges and magistrates to serve in the Court. I appreciate the Court's commitment to this goal in the Plan and look forward to continuing work to reduce the number of judges hearing the abuse and neglect cases, enabling social workers and attorneys to work as teams with a limited number of family court judges. This is of vital importance, because reducing the number of courtrooms will have a two-fold benefit. First, it makes possible the support and training for a core group of judicial officers that is envisioned in the Act. Second, it reduces scheduling conflicts for attorneys and social workers, increases the amount of time social workers are able to spend in the field visiting children and families, and therefore allows a higher quality case management on behalf of children. Today, approximately 55 judges hear abuse and neglect cases. This means that CFSA social workers and attorneys at OCC who represent us must cover all 55 courtrooms, creating a schedule of constant court appearances that makes it extremely difficult to schedule social workers' family visits. We are working with the Court to ensure, that as rapidly as possible, the number of judges hearing abuse and neglect

cases will be reduced as older cases move into the Family Court. Like the other points in the Implementation Plan I mentioned, the reduction in courtrooms before which social workers and attorneys appear is expected to have a direct and positive impact on the safety and permanence of our children.

- As you know, the Family Court Act has two technology components. The Mayor is on target to submit a plan to the President and Congress on July 8, 2002 concerning the integration of the new Family Court's information system with a District-wide children's information system under development. The Chief Technology Officer for the District is coordinating this effort with Deputy Mayor Graham. At the same time, our social workers and attorneys have shared input with the Court in expressing our needs in the mandated Integrated Computerized Case Tracking and Management System. The implementation of both systems will improve access to records, communication and service delivery.
- The Family Court Act also requires the Mayor to implement an on-site service liaison function at the Family Court. This work is ongoing under the leadership of Deputy Mayor Graham. The cross-cutting nature of the early implementation efforts described above, under Deputy Mayor Graham's lead and with the involvement of partner agencies such as the Department of Mental Health, provide a basis for designing the next steps.

We look forward to working closely with the Court on the development of outcome measures for children. Judge Satterfield and I have already discussed the joint work that we would like to do around measurements of children's safety, permanence, and wellbeing. As illustrated above by our work together to accomplish an outcome measure in regard to adoptions, there is no better way to create change for children across service systems than to focus together on a critical, measurable result that will make a difference for children. During this first year at CFSA, we have worked intensively to improve our measurement capacity and to focus our work on key results, including results identified by the Federal Court and by HHS, and we are committed to ongoing coordination of our work with the Court's work. In addition, this is an area in which I have a great personal interest, through my work at the Federal level in designing the

outcome-focused Child and Family Services Reviews that assess state child welfare performance.

CHILD WELFARE REFORM IN THE DISTRICT

Paralleling the work in Congress as well as the work of the Court, the District has taken swift and dramatic steps to address the safety of children and their need to grow up in permanent families. Ten days from now will mark the one-year anniversary of the termination of the Federal Court Receivership on June 15, 2001. Since that time the pace of reform in the District's child welfare system has been extraordinary. Coupled with the work of the court, the reforms initiated by the District have transformed the child welfare system and created a unique window of opportunity to enhance the well-being of children in the District. I would like to highlight just several of the measures we have taken in the last year:

- **Unification under CFSA of the responsibility for abuse and neglect investigation and services, thus ending the fragmentation that had placed responsibility for investigation of alleged abused children in the District with two separate agencies (the Metropolitan Police Department (MPD) and Court Social Services) and responsibility for neglected children with CFSA.** Today, children who are victims of either abuse or neglect are protected by a unified set of services and dedicated professionals. To bring this new structure into being, CFSA has increased staffing for investigations, trained every intake staff member through a curriculum jointly developed with MPD, created new specialized units to investigate sexual abuse and serious physical abuse as well as abuse in out-of-home settings, and sought out experts from across the country to ensure that we take full advantage of already established and tested best practices.
- **Reform of the legal support provided to CFSA social workers, including more than doubling the number of attorneys so social workers can always be represented in court and restructuring legal services to enable much closer coordination between attorneys and social workers. Major emphasis on the**

recruitment, retention, and training of social workers to reduce caseloads so that workers can serve children more effectively and ensure that new workers gain the skills they need. Our goal is to have 300 case carrying social workers on board

by the end of September 2002. As of April 2002, before the height of Spring recruiting from undergraduate and graduate social work programs, we have 250 licensed Masters of Social Work (MSW) and Bachelors of Social Work (BSW) qualified social workers. In addition, there are 27 Social Worker Trainees on staff who are not yet licensed. Additionally, our preliminary Spring recruiting drive has 26 new social worker and trainees scheduled to start over the next three months – along with another 23 offers pending. Additionally, we are also about to sign a memorandum of Understanding with the United States Public Health Service with the goal of finalizing an agreement whereby the Public Health Services Commissioned Corps will provide social workers to fill critical staff shortages. I am very excited about how far we have come in staffing over the last year. I am excited because realization of these staffing goals will have an immediate and positive impact of the safety and permanency of children in the District. I am also delighted to report a focus on retention of our highly qualified staff, including the creation for the first time of training units, so that new case-carrying staff enter the Agency through a training unit led by a specially selected supervisor who is prepared to coach new staff and increase their caseloads gradually as they gain mastery.

- Promulgation of the District's first ever licensing rules for foster homes, youth group homes, independent living programs, youth shelters, runaway shelters, and emergency care facilities. These rules address the major aspects of safety and quality, including staffing, training, management, and facility maintenance; they enable us to focus on quality and our children's well-being in out-of-home care. CFSA's new Office of Licensing, Monitoring, and Placement Support Administration provides technical assistance, monitoring, and enforcement of the new standards.
- Organizational Structure. The Agency's new organizational structure is designed to focus on quality both internally and in the work of our contracted partners. The new structure creates for the first time an Office of Clinical Practice, which provides a

focal point both for supporting quality and holding staff accountable, through training, clinical consultation, administrative review, and the review of critical cases.

These reforms, together with the enactment of the Family Court Act, have transformed the institutional structure for child welfare in the District of Columbia.

Our task now is to ensure that the institutional reforms result in a dramatic improvement in safety, permanency, and well-being for the children of the District. I would like to highlight one such improvement that we are able to report even at this early stage. We are now focusing on ensuring that very young children, an age group that is disproportionately represented in child welfare here and across the country, are placed with families rather than in group settings. Over a period of just a few months, we were not only able to place all of the children who were in these temporary shelters in more permanent settings, mostly with families, but also ensured that other children who come into care go straight to stable settings, generally family foster homes including extended family. We are pleased to report that we have already reduced the number of children under six years of age in group care from 99 in May 2001, the end of the Receivership, to just 53 today. The targets we have set are 50 for Fiscal Year 2002 and 25 for Fiscal Year 2003. Achieving those goals will help us ensure that children grow up in permanent families. We are particularly concerned about young children who come into the child welfare system. It is our responsibility to give them an opportunity to live in settings that support rather than weaken their ability to form permanent, loving family ties.

Other measurable improvements for children evident even this early include a dramatic reduction in the backlog of intake cases that take more than the statutory 30 days to investigate, an important step to protect children's safety; and an increase in adoptions built on close collaboration with the Family Court. At the end of April of this year, we had 143 investigations over 30 days, compared to more than 800 at the end of May a year ago.

NEXT STEPS

Over the next several months we are going to continue to build on the dramatic reforms in an ambitious manner – both in the scope of the Family Court and within the

broader scope of child welfare reform. The coming reforms will serve to tie together all of the components of the District's child welfare system – and provide children with the safest environment possible and also provide them with a speedier path to permanency. We will most certainly be working with the Court and other key stakeholders on all of these issues.

One key component of the Family Court Act is that of obtaining border agreements with both Maryland and Virginia. I would like to express my appreciation to the Congress for its focus on this critical need and for its recognition that if children in the District of Columbia are to move rapidly to permanent families, including kin, we need to take a metropolitan approach to children's safety and permanence. The District's children grow up with family and community ties that cross state boundaries, and when they need help, we need to ensure that there are no unnecessary barriers to placing them safely and securely with the families who can provide that help. We are currently working closely with Maryland to secure an agreement and look forward to discussions with Virginia as well in the immediate future. We look forward to continuing to update the Congress on progress and next steps. I would also like to highlight one area where your continued support is particularly important to our success: the District is proposing that Congress increase the Federal reimbursement rate for foster care and adoption under Title IV-E of the Social Security Act to 70% -- the same reimbursement rate as Medicaid. As you are aware, several years ago the Medicaid reimbursement rate was raised for the District in light of the unique demographics and needs of the city. This proposal would bring the Title IV-E rate in line with the Medicaid rate, as is the case in other jurisdictions.

Because of Mayor Williams' deep commitment to children and to the most vulnerable children in particular, he has made a major budget commitment to child welfare reform in the District in this time of overall budget austerity. Your support in enhancing Federal revenues would make a major difference in ensuring the security and stability of this commitment – and therefore of children - in the future.

CONCLUSION

In conclusion, I would like to thank this Committee as well as your Congressional colleagues for your consistent support of the vulnerable children of the District of Columbia. It has been a pleasure working with Judge King, Judge Satterfield, and all of the partners and stakeholders in child welfare reform. I look forward to continuing our work together to keep children safe, enable children to grow up in permanent families, and promote the wellbeing of our most vulnerable children and families.

Thank you, and I would be happy to answer any questions.